

The Honorable James Robart

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE**

DWIGHT HOLLAND,

Plaintiff,

v.

OFFICER WSP ANTHONY BROCK in
his individual and official capacity as
Washington State Patrol officer,

Defendant.

NO. 12-cv-0791 JLR

DEFENDANT WASHINGTON
STATE PATROL TROOPER
ANTHONY BROCK'S PROPOSED
VOIR DIRE QUESTIONS

Defendant Washington State Patrol Trooper Anthony Brock ("defendant" or "Trooper Brock") requests that the Court give the following general *voir dire* questions to the venire during jury selection.

PROPOSED VOIR DIRE TO THE VENIRE

1. Do any of you know any of the following witnesses (read witness list), the plaintiff Dwight Holland, the defendant Washington State Patrol Trooper Anthony Brock, or the Assistant Attorney General Tobin Dale defending Trooper Brock in this case?
2. Have any of you ever served in the military or the Peace Corps?
3. Have you heard or read about Dwight Holland's encounter with Trooper Brock in Seattle on the early morning hours of September 16, 2011 (e.g., TV broadcasts, newspaper articles, social media sites or internet blogs)?
4. If you have read or heard about this incident, have you formed an opinion about the encounter between Dwight Holland and Trooper Brock? Please do not tell us what that opinion is, only whether or not you have one.

5. This incident occurred in Seattle just south of the 1st Avenue Bridge on SR-509. Is any juror particularly familiar with this area?
6. Have you ever been arrested, charged with a crime, or entered a pretrial diversion on a criminal charge?
7. Has a close friend or family member ever been arrested, charged with a crime, or entered a pretrial diversion on a criminal charge?
8. Have you ever been pulled over for DUI (driving under the influence)?
9. Has a relative or a close friend ever been pulled over for DUI?
10. Have you ever been accused of a crime, whether rightly or wrongly?
11. Has a relative or a close friend ever been accused of a crime, whether rightly or wrongly?
12. Have you ever worked in law enforcement?
13. Do you have any close relatives or friends who have ever worked in law enforcement?
14. Have you ever filed a complaint or lawsuit against any police officer or police agency?
15. Has a relative or a close friend ever filed a complaint or lawsuit against any police officer or police agency?
16. Do you have particularly strong feelings, positive or negative, about law enforcement officers, including the Washington State Patrol and its State Troopers?
17. Have you ever had any particularly good or particularly bad experiences with law enforcement officers, including the Washington State Patrol and its State Troopers?
18. Has a close friend or family member ever had any particularly good or particularly bad experience with law enforcement officers, including the Washington State Patrol and its State Troopers?
19. Have you heard or read of particular instances of controversial police enforcement actions in the greater Seattle area over the past year?
20. Do you have strong opinions regarding whether law enforcement officers are too aggressive or not aggressive enough in dealing with actual or potential DUI incidents?
21. Do you have a close relative or family member that has strong opinions regarding whether law enforcement officers are too aggressive or not aggressive enough in dealing with actual or potential DUI incidents?
22. Do you have any special training, education, or experience in field sobriety tests, handcuffing, police tactics, or use of force issues?

- 1 23. Do you have any training or experience on the topic of when a police officer may arrest
2 a suspect, including for DUI?
- 3 24. Do you believe that because a case has been brought to trial the claims asserted in the
4 case must have merit?
- 5 25. Have you ever participated in any public protests against governmental entities?
- 6 26. Has a relative or close friend ever participated in any public protests against
7 governmental entities?
- 8 27. Do any of you donate money or time to any social, political, or civil rights-related
9 organization?
- 10 28. Do you have any special training, education or experience in the field of alcohol or
11 drug use, or alcohol or addiction?
- 12 29. Do you have any strong opinions about driving under the influence, or reckless driving?
- 13 30. Have you ever been affected by a drunk driver or a driver driving under the influence?
- 14 31. Has a relative or a close friend ever been affected by a drunk driver or a driver driving
15 under the influence?
- 16 32. Do you have any reason to believe that you could not decide the issues impartially in
17 this civil lawsuit against police?
- 18 33. This trial is expected to last 3 court days, split over this week and the first part of next
19 week. Will that be a hardship for any prospective juror?
- 20 34. Is there anything about the nature or subject matter of this case that causes you to be
21 hesitant about sitting on this jury?

22 DATED this 13th day of January, 2014.

23 ROBERT W. FERGUSON
24 Attorney General

25 s/ Tobin E. Dale
26 TOBIN E. DALE, WSBA No. 29595
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Assistant Attorney General
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Attorneys for Defendant Trooper Anthony Brock

CERTIFICATION OF SERVICE

I hereby certify that on this 13th day of January, 2014, I caused to be electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system which will send notification of such filing to:

Dwight Holland: dmanh3@comcast.net

/s/ Tobin Dale
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